

THE ARIZONA REPUBLICAN.

THE LARGEST CIRCULATION OF ANY DAILY PAPER IN THE TERRITORY.

The Only Paper Between Galveston, Texas, and Los Angeles, California, that Publishes all of the News in Full.

VOL. IV.

PHOENIX, SUNDAY MORNING, OCTOBER 4, 1891.

No. 20.

ACQUITTED.

The Preliminary Examination Concluded. JUSTIFIABLE HOMICIDE.

The Decision Received With Approval.

CLEARLY SELF-DEFENSE.

Justice Culver Reviews the Evidence and Announces That He Has No Doubt as to the Innocence of Frank J. Heney and Orders the Prisoner Discharged.

Associated Press Dispatches. TUCSON, Oct. 3.—The preliminary examination of Frank J. Heney, for the murder of Dr. Hendy, on the 24, which has occupied the entire week, was concluded this afternoon.

Justice Culver reviewed the evidence briefly, and declared that there was not the slightest doubt in his mind, but that the killing was justifiable homicide, and discharged the defendant.

The decision was received by strong demonstrations of approval by the mass of people, who filled the court room.

A MURDERER SIGHTED.

But Eludes the Officers and Escapes From the Law. NEVADA, Cal., Oct. 3.—George Clark, a North Bloomfield gambler, suspected of the assassination of Superintendent Galavotti, of the Debeque mine, on the 17th prox., as he was bringing a gold bar to this city, was seen countless and razed this morning around the mountains four miles north of here.

Shortly after noon Sheriff Dunster, Under Sheriff Schmidt, Constable Dillon and ex-Marshall Neagle started out to find him. They scoured the country and came home this evening at 8 o'clock empty handed, Clark having taken alarm and left for parts unknown. The search will be resumed this morning. Much excitement prevails here.

UTAH COMMISSION.

Cannot Recommend the Withdrawal of Any Safeguards. WASHINGTON, Oct. 1.—The members of the Utah Commission have filed with Secretary Noble majority and minority reports of the proceedings of the commission for the year ended September 1, 1891. The majority report, signed by Messrs. Godfrey, Robertson, Saunders and Williams, and says the commission is glad to record the steps already taken on the road to better civilization, and that they cannot recommend the withdrawal at this time of any portion of safeguards thrown around Mormonism.

"BEAUTIFUL SNOW."

Three Feet of It Falls in Montana—Terrific Storm. RED LODGE, Mont., Oct. 3.—It has been snowing and drifting for the past forty-eight hours, and now there are three feet of snow on a level. Business is practically at a standstill.

ST. PAUL, Oct. 3.—Advises show that rain is falling over north Dakota with snow in the western portion and a cold wave is coming from Montana. Fifty thousand bushels of unthreshed wheat are in danger of being destroyed by wet weather.

A New Orleans Leper Dead.

NEW ORLEANS, Oct. 3.—John Dressel, a German shoemaker, died today of the worst form of leprosy. He had been in this country fifteen years, but was only attacked with the disease three years ago, since which time it had destroyed every mental and physical faculty. He lived in a pretty cottage in a populous neighborhood, surrounded by a large family and mingled freely with relatives and friends all the time. The disease did not prove contagious, and none knew the nature of his ailment until just before his death. The subject of leprosy has been much considered lately. There is no place for its treatment, no law enforcing isolation, and as several cases have been discovered the board of health intends to secure the necessary legislation.

Fraudulent Life Insurance Agent.

CHICAGO, Oct. 3.—The Home Life Insurance Company of Brooklyn today began suit in the federal court against Edward H. Kellogg, who for a series of years prior to last February acted as its general agent for the northwest. The bill alleges that an examination of his accounts in January last showed that he had embezzled over \$30,000. When the discovery was made Kellogg gave notes and mortgages to indemnify the company, and it is for an accounting and foreclosure of the mortgages and collection of sums due on the notes this action is begun.

Gould's Condition.

NEW YORK, Oct. 3.—An interesting, but not unlooked for event, occurred in ex-President Cleveland's household today. The mother and daughter are doing well. The child weighed eight pounds.

Geologists in Arizona.

FLAGSTAFF, Ariz., Oct. 3.—The geologists resubmitted Flagstaff last night from the Grand Canyon. The largest party went east. Today Dr. Bonberg and four others went to Los Angeles.

THAT LOST MINE.

THE INTERESTING STORY OF AN ARIZONA MINE.

St. Joseph and Kansas City Parties Claim to Have Discovered an Old Mine of Fabulous Wealth—Apparently Some Truth in the Rumors.

Special to THE REPUBLICAN.]

St. JOSEPH, Oct. 3.—G. J. Spencer, of this city, a retired newspaper man, claims to have discovered and located a long-lost Arizona mine. Last August he visited his brother-in-law, J. W. Powers, a well known and successful miner at Harshaw, and the two in company with two Mexicans, discovered the mine that is believed will make them both millionaires several times over. Mr. Spencer has closed out his interests in this city, and started for Harshaw, where he will join his brother-in-law, Mr. Powers, and together they will develop this mine.

Fabulous Wealth. But Mr. Spencer is not the only lucky Missouri man. On Thursday they started from Kansas City for Arizona. J. D. Cuisenbury and James Compton, who will begin a search for a lost mine that they think can be easily found, and which is said to be of immense value. It is an interesting story which Mr. Cuisenbury tells about the mines, and to show that he believes it is ready to spend all his money and time in searching for it. It is supposed to be the mine from which the Montezuma got the greater portion of their gold, and which was later worked by the Jesuit priests. It was

From a Jesuit. That the data were received which enable the parties to make the present search. The mine is said to be situated about eighty miles southwest of Tucson, Arizona, and the discovery made a few years ago substantiates the story of its fabulous wealth.

Mr. Cuisenbury was seen by your correspondent and tells the following story. He was a miner and says that it is well known that "once a miner, always a miner."

"I am thoroughly acquainted with the whole mining region of Arizona and have prospected over the entire territory. I saw and saw several good paying claims in that country and made a trip down there every year to look after my interests. About two years ago I first heard of

The Lost Mine. And its great wealth. I was riding on a sleeper of a train and among the men traveling I saw a man who was telling stories and the judge told of the lost mine and its history. I was much struck with the story, and as he described the exact location of it I was sure that I knew the exact spot, and had been there but had supposed that the workings which I saw were simply an abandoned prospect hole. When the judge finished his story I told him I new where the mine was and could go to it. The judge said that if I could it would be worth a big fortune for me, and then went into the details of the story.

In the latter part of 1887 a man in the robes of a priest came to Tucson with a chart showing where there was a vast treasure buried, and wished to find some one to help him in getting it away. The chart gave the information that the treasure was buried in the Tumacacori Mission, some twenty miles from Tucson, and was in gold and silver bullion. It also showed where the mine was located from which this treasure had been taken. He had found the chart while looking over some old papers in the church at Mercedes, Spain, where he was located.

The priest and together a number of responsible men went in search of the bullion. Arriving at the mission he proceeded to follow instructions and dug under the altar.

Of the church. Under the floor was a small chamber and in the center of this were a number of metallic boxes which contained the bullion just as described in the chart. The treasure was packed to Tucson and then an effort was made to find the mine, but either the landmarks had been changed or they did not follow the directions of the chart closely, for they never found it. The priest returned to Spain with his bullion and gave the chart to Judge Barnes, Mr. Compton, who was with me, is as confident that we know exactly

Where the Mine Is. And we will go there and divide up with the judge when we find it."

Mr. Cuisenbury says that he knows from the description laid down in the chart that he has been over the exact ground and saw the place from which the gold and silver had been taken. Everything was exactly as it was laid down in the musty paper, even to the false trails which had been built to mislead those who might be tempted to go that way. The treasure was packed to Tucson and then an effort was made to find the mine, but either the landmarks had been changed or they did not follow the directions of the chart closely, for they never found it.

It is believed by Mr. Spencer that the mine discovered by him is the same one that Mr. Cuisenbury is in search of, and should this prove true there is no doubt of the

Enormous Value. of the Spencer mine. A large number of St. Joseph people are interested in Arizona, and the good fortune of Mr. Spencer will result in a number of people of this city becoming residents of that territory.

pluses. Both men, however, now deny all knowledge of the crime and claim they were in the Walla Walla penitentiary when it was committed. Captain Greenwood who was left for dead by the robbers who murdered his wife cannot positively identify them, though they suit description. The evidence was thought sufficient to warrant bringing them here for trial.

THE RAILROADS.

A Report of Their Earnings, Expenditures and Receipts. WASHINGTON, Oct. 3.—The third annual report of Commissioner Taylor was handed to the Secretary of the Interior today. The report says of the railroad situation that for the past year there has been an increase in gross receipts but a falling off in net earnings owing to increased competition. The net earnings of roads indebted to the Government shows a slight decrease over last year. The roads are paying into the treasury every year all that the law requires them to pay.

Full detailed statements given showing the financial condition of the companies, and statements showing total gross receipts of bonded roads for year for which settlements made were \$28,045,000 net earnings \$6,059,000 and government requirement \$1,740,000. Total debt bonded roads up to Dec. 31, 1890, amount to \$112,513,000.

A New Comet.

LICK OBSERVATORY, Oct. 3.—A new comet was discovered by Prof. E. Barnard at Lick Observatory this morning at four hours fifty-five minutes right ascension, seven hours thirty-one minutes north declination, 28 degrees. It is not very bright and has no tail or nucleus. It is moving rapidly towards the south-east.

Junta Not Responsible.

NEW YORK, Oct. 3.—A Herald's Valparaiso cablegram says it is now believed that the actions of which Minister Egan complained were instigated by irresponsible officials and not sanctioned by the majority of the junta.

TERRITORIAL NEWS.

Items of Interest to Readers Clipped from Arizona Papers. The rainfall at Santa Fe since the 21st is the heaviest recorded at the U. S. signal station since its establishment twenty years ago, amounting to 3.15 inches.

A notice on the front of the Willows saloon notifies the passer by that place is closed but "will be open after the Democrats repeal the Edmunds Act."

Mr. Lyman Smith, of Tucson, was in Solomonville on Saturday. He is representing the English company who propose to build the Santa Cruz dam and reservoir in Pima county, and was looking for 20,000 acres of orchard land, —Graham County Bulletin.

The Lone Star Mining district, 12 miles north of Solomonville, is ready to yield wealth to any person who will go there and properly develop any one of the claims that are there. Work will begin there some day, and there will be a boom in the Lone Star district, —Graham County Bulletin.

On Saturday last Mr. Harry Gilbert, a brother-in-law of Wm. Creach, while on the Hampton road-up, was thrown from his horse. The horse fell across his chest and he was killed. He was a very valuable man, and his death is a great loss to the community. A doctor was summoned from Fort Grant but had not arrived when Mr. Z. T. Pringle left the road-up on Monday, —Graham County Bulletin.

Mr. and Mrs. N. J. Wilson left last night for California where they first to reside. San Pedro will be first visited, and if a suitable location cannot be found there, they will go to Redondo or elsewhere in southern California. Billy will keep himself fully posted on Willoughby and will make some sort of a statement showing what he could and would do in paying the vast army of depositors in the two banks. To all these pleadings President Dill returned the answer that he was all right and the banks were all right, and if the depositors stood by him they would be all right.

CLEARFIELD, Pa., Oct. 3.—The excitement here concerning the First National bank failure was intensified last night when the condition of things at Houtzdale was learned. The Houtzdale bank is a private concern bought by Dill last spring. When Dill took charge he placed John B. McGrath, in whom the community had the utmost confidence, in charge as cashier. This at once stimulated business and on the first day over \$89,000 was received in deposits, mostly coming from poor miners. At that time the deposits did not reach \$200,000, but through McGrath's well-known integrity and popularity they grew until yesterday morning when they reached \$200,000.

Upon the opening of the bank yesterday McGrath had occasion to telephone the First National bank concerning a matter which was a matter of some importance. It was closed. He at once closed his bank, but had already received several deposits. The word spread rapidly and before long several hundred depositors were on the streets. Ignorant Huns and Slaves, who have deposits running from \$200 to \$300,000, grew frantic when they learned that the money was in danger. The larger depositors at once sought Cashier McGrath and he informed them that although the deposits reached \$200,000 less than \$300,000 in paper and currency was in the bank when it closed. He said that President Dill had removed a large amount of money, giving as his reason that the Houtzdale vault was not secure and he would put it in the Clearfield bank.

Many of Dill's friends of yesterday are enemies today. It is said that he has been borrowing right and left. Only a few days ago his father-in-law, Jonathan Boynton, advanced \$20,000 on the representation that it would fix everything up and put the bank on its feet.

PERSONAL NOTES.

Movement of Phoenix People—Arrivals and Departures—Personal Gossip. Joseph Birchett, of Tonto Basin, is in town.

J. M. Rountree is registered at the Central. Giovanni Giachette is a guest of the Mills hotel.

Mr. George M. Bowers is expected to arrive today. Fred Haines was a guest of the Central yesterday.

Mrs. Frank Moss returned from California yesterday. George Lyall and family arrived in Phoenix yesterday.

J. S. Long, of San Francisco, is stopping at the Central. J. Alexander, of Tucson, registered yesterday at the Central.

W. H. Cole, from Pratt station on the Agua Fria, is in Phoenix. Mrs. E. H. Hiller, wife of Cashier

A FLATTENED BANK.

PRESIDENT DILL DILATORY IN PREPARING A STATEMENT.

Intense Excitement and Rage Among the Depositors—Ignorant Huns and Slaves Savage—The Depositors Will Not Get More Than Fifty Per Cent.

Associated Press Dispatches.]

KINGSTON, N. Y., Oct. 3.—The Ulster Co. Savings Institution has closed its doors and is in charge of Bank Superintendent Preston. Examiners have been at work since Tuesday and they found already that \$646,000 have been stolen from Treasurer Ostrander and Matthew Trumpfleur. It is feared that the stealings will reach over that amount.

Last night Superintendent Preston swore to a complaint charging Trumpfleur with perjury in swearing to false statements contained in the July report of the bank to the banking department, and Trumpfleur was arrested. He was just preparing to flee from town. The prisoners were arraigned this afternoon and their examination set for Monday morning. It is stated on the street today that after their affairs are wound up the bank will pay the depositors 75 cents on the dollar.

There was quite a heavy run on the Kingston savings bank, which is opposite the closed bank. The trustees of this institution claim the bank can pay its depositors in full, and should the run continue until Monday the bank trustees will probably compel the giving of sixty days' notice by the depositors.

ANOTHER BANK FAILS.

Recently Officers Rob a Bank at Houtzdale. HOUTZDALE, Pa., Oct. 3.—This afternoon, receivers for the Houtzdale bank were appointed, and they are now in charge. Bank Examiner Miller took possession of the Clearfield bank.

At the time of the suspension the Houtzdale bank had deposits of \$200,000, but there was less than \$60,000 in the vaults.

This afternoon and tonight affairs have become alarming. Men and women clamored at the doors in vain; the tide and pressure before the doors becoming so great that a strong guard was finally placed and the doors were closed. The howling depositors back with clubs, and it was feared that they would demolish and loot. President Dill and Cashier McGrath were arrested tonight upon a petition of one depositor and gave bail in the sum of \$2000.

The excitement over the suspension of the banks continues. When the depositors were informed that they were forced to receive less than 50 per cent of their money the lower classes flocked in squads and shouted execrations and threats against the officers that would certainly have been put into execution had the latter been found. A large delegation of Houtzdale citizens waited on President Dill at Clearfield tonight and demanded and pleaded with him that he make some satisfactory statement. They pointed out that the two towns were actually threatened with financial ruin, and other disasters in the future from private individuals were to be feared unless he made some sort of a statement showing what he could and would do in paying the vast army of depositors in the two banks. To all these pleadings President Dill returned the answer that he was all right and the banks were all right, and if the depositors stood by him they would be all right.

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THE CONVENTION.

COMPLETES ITS INDUSTRIOUS SESSION AND ADJOURNS SINE DIE.

Patriotic and Enthusiastic Speeches by the Members—Pervid Eloquence in Favor of Statehood—President Rowe's Closing Speech.

The convention convened at 10 o'clock a. m., October 3, with President W. A. Rowe in the chair.

Mr. Herring moved that the roll call be dispensed with. Carried.

Mr. Herring moved that the president of the convention be authorized to have a printer's copy made of the constitution. Carried.

Mr. Herring submitted the following resolution: "Resolved, That the minutes and records of this convention be deposited with the secretary of the territory to be by him delivered to the secretary of the state of Arizona when the same is admitted as a state, and in the meantime the officers and committees of this convention have access to said records and minutes to perform the duties ordered by this convention."

The resolution was carried.

Moved by Mr. Smith that the vote be reconsidered, whereby the convention voted to adjourn sine die at 10 o'clock a. m.

MR. SMITH'S SPEECH.

Gentlemen of the Convention: Our deliberations are about to close. The constitution for the future state of Arizona is completed, and in a few moments of the most important and interesting events which can occur in the history of any territory will have closed. The finished product of our labors represents great care and diligent investigation, and the conscientious regard for the interest of every class. We stand forth with a sincere confidence in the wisdom of its provisions and we commend it to them as an instrument so equipped with safeguards and encouragements that under it they may achieve safety and prosperity for their industries and rise to that position among the states of the Union to which they are entitled by virtue of their intelligence and the material resources of their domain.

In part our duties are ended, but between now and the time set for the ratification of our constitution the bounden duty of every member of this convention to work enthusiastically for the adoption of this constitution; and when we separate to our several counties, may we go as true disciples and earnest advocates of statehood, and loyally endeavor to place it upon the altars of our individual or community's importance and honor. The rising fortunes of Arizona demand the broader area of statehood as the proper field for the expansion of our industries and the increase of our population.

Statehood! Will there be found any who will not feel a thrill of patriotic enthusiasm at the very idea? This marriage, this compact with the great dominant throbbing civilization of America will make us broader and better as individuals and communities. We will be closer to the center of our affections and more in touch with the energy and aspirations of our nation, more zealous to augment its power and glory and more eager to defend when menaced, the principles of American policy and the honor of American citizenship.

And now, gentlemen, we surrender to the people this their organic act, and with it goes our benediction and heartfelt hopes. We hope, not only that it will be ratified, but finally, when under it we shall have swung into the line of statehood, and proudly placed the emblem of our sovereignty upon the shield of our country, that we will fondly hope that our star will prove not the least brilliant of all the many bright stars which make glorious our national existence.

MR. HERRING PROTESTS.

Against Articles 10 and 18 as Adopted by the Convention.

The undersigned, a member of this constitutional convention, hereby respectfully requests that his protest and dissent against the adoption of the constitution framed and adopted by the vote of this convention; and he especially and particularly protests and dissents against the articles enumerated in said constitution by the numbers 10 and 18, respectively, the former being in relation to the suffrage and the latter being in relation to water and water rights. The right of suffrage has, from the organization of the territory, been vested in the legislature. The liberal legislation of congress places it there, and the undersigned cannot assent to an act which restricts the right conferred by congress.

The departure from the principles set forth in the territorial "bill of rights," evidenced by article 18 of the constitution, in relation to water and water rights, is deemed by the undersigned unsound and dangerous to the rights of the people and will operate to the advantage of corporations and against the owners and occupants of lands. Respectfully submitted, WILLIAM HERRING.

The Intercontinental Railway.

WASHINGTON, Oct. 3.—The commissioners appointed to represent the United States intercontinental railway commission have submitted a report to Secretary Blaine of the progress made by surveying parties in South and Central America on the line of the proposed road. There was spent \$74,000 up to August 1, 1891, there being a balance of \$64,000 for carrying on the work. Chile and Colombia have paid their quota to the common fund. In Ecuador the survey indicated a cost for the road of about \$22,000 per mile.

The Russian Famine.

LONDON, Oct. 3.—A St. Petersburg correspondent confirms the reports of distress in Russia. He says that 25,000,000 people are unable to pay their taxes and that this will cause a budget deficit of \$12,000,000. The minister of finance, the correspondent adds, has just granted another £1,000,000 for the relief of the distressed people.